



**CITY OF SANTA CLARA
PLANNING COMMISSION
Wednesday, April 9, 2008
7:00 P.M.
CITY COUNCIL CHAMBERS
MINUTES**

Please refer to the Planning Commission Procedural Items coversheet for information on all procedural matters.

REGULAR ITEMS – 7:00 p.m.

1. PLEDGE OF ALLEGIANCE and INVOCATION

Chairperson Champeny initiated the Pledge of Allegiance and the Invocation was read.

2. ROLL CALL

The following Commissioners responded to roll call: Chairperson Ian Champeny, Vice-Chairperson Todd Fitch, Commissioners Frank Barcells, Tony Marine, Teresa O'Neill, Mohammed Sarodi and Keith Stattenfield.

The following staff was present: Assistant City Attorney Tina Wallis, City Planner Carol Anne Painter, Civil Engineer II Darrell Mackie, Associate Planner Douglas Handerson AICP, Assistant Planner II Debby Fernandez and Associate Planner Judith Silva.

3. DISTRIBUTION OF AGENDA AND STAFF REPORTS

Ms. Painter advised those present that copies of the current agendas and staff reports for each of the items on the agenda are available from the Planning Division Office on the Friday afternoon preceding the meeting and are available at the Commission meeting at the time of the hearing.

4. DECLARATION OF COMMISSION PROCEDURES

Chairperson Champeny reviewed Planning Commission procedures for those present.

5. REQUESTS FOR WITHDRAWALS AND CONTINUANCES WITHOUT A HEARING

There were none.

6. ITEMS FOR COUNCIL ACTION

The following items will be sent forward to the City Council following the conclusion of hearings and recommendations by the Planning Commission:

Agenda Item 11. File: PLN2007-06419/CEQ2007-01047 Location: 2585 El Camino Real

7. ORAL PETITIONS/ ANNOUNCEMENTS AND COMMUNICATIONS

Mr. and Mrs. Seif addressed the Commission and complained about the vacant office buildings and dilapidated state of the Marina Playa office buildings and property near the southeast corner of El Camino Real and Lawrence Expressway, including graffiti and crime. They left photographs they had taken with the Planning Commission.

8. CONSENT CALENDAR

The following items routine and public hearing items were approved under the Consent Calendar unless otherwise noted.

Routine Items/Consent Calendar

8.A. Planning Commission Minutes of March 12, 2008

Public Hearing Items/Consent Calendar

8.B. File: **PLN2007-06764 (Continued from PC 1/9/08)**
Location: 2156 Dianne Drive, a 7,450 square foot lot on the south side of Dianne Drive, approximately 400 feet west of Alice Drive (APN 290-11-134). Property is Zoned R1-6L (Single Family Residential).
Applicant: Perham Construction
Owner: Jeff and Debbie Rudd
Request: **Variance** to allow two storage buildings to remain in the rear yard at substandard setbacks from property lines. Application is the result of a Correction Notice (CRN2007-06761).
Project Planner: Jeff Schwilk, AICP – Associate Planner
Commission Action: **Approved modified request, subject to conditions**

*******End of Consent Calendar*******

SPECIAL BUSINESS

9. General Plan Update Discussion

Summary of Discussion – April 9, 2008

Meeting Objectives

Carol Anne Painter, City Planner advised those present that this was the General Plan Update Kick-off for the Planning Commission and Invitation to April 15, 2008 City Council Presentation on the General Plan Update. She then discussed the three meeting objectives which include a review of the Public Participation Program, a chance to provide direction for the General Plan Steering Committee composition and to provide input for community survey. Ms. Painter then encouraged interested parties to leave their names and addresses as all interested parties as public participation is both necessary and wanted by staff, the consultants and the City.

Agenda

1. Project/General Plan Description and Team Introduction

Ms. Painter then introduced the Team and reviewed the Project/General Plan Description. She noted that the Plan horizon is 2035 and the update would be a 2-year Planning Process.

2. Scope and Schedule Overview

Rajeev Bhatia, consultant, then presented an overview of the Scope and Schedule. Mr. Bhatia stated that this was an opportunity to enhance growth and change in a good way. He then reviewed the required and suggested Elements of the General Plan, including: Land Use, Community Design and Historic Preservation, Sustainability, Transportation, Parks and Recreation, Conservation/Environmental Quality, Housing, Safety, etc. He noted the goal was also to update and do a new Zoning Code at the same time.

3. Public Participation Program

Mr. Bhatia highlighted the proposed public outreach, including the website address, stake holders meetings, community workshops, resident survey, and newsletters. In addition Planning Commission and City Council discussion will pave the way for document policies. He noted there also will be an EIR as part of the update.

Chairperson Champeny then encouraged everyone to review the Matrix by Activity for discussion.

4. Steering Committee

Carol Anne Painter then reviewed the role and size of the Steering Committee. She noted there would be two Planning Commissioners (Fitch and O'Neill), two City Councilpersons, a representative from the Historical and Landmarks Commission, Senior Commission, a Parks and Recreation Commissioner and others, stating that about 15 members are optimal. Ms. Painter advised those present that there would be stakeholders' interviews and that anyone

is welcome to apply, and also that some of the stakeholders would be from the business community.

The Commission felt it was appropriate to add a member of the Santa Clara Unified School District and another resident representative on the Steering Committee.

5. Community Survey

Mr. Bhatia advised those present that a postage pre-paid survey is anticipated for the end of May or beginning of June this year. The survey may also be on the City's Website. Responses will be coded and used as input for the update. Mr. Bhatia indicated that the surveys would ideally be completed prior to the June community workshop.

In response to a question from Commissioner Marine, Mr. Bhatia responded that the Commission can submit questions and that draft questions can be forwarded to the Commissioners for comments.

Carol Anne Painter advised the Commissioners that comments on the draft survey questions need to be done individually and that the Planning Commissioners cannot discuss this outside the public forum. In response to the Commission, Ms. Painter indicated that stakeholder interviews and/or the first community workshop could be held prior to distribution of the resident survey.

6. Commission and Public Comments

Commissioner O'Neill stated she would like to see survey questions related to changes in densities. Commissioner Stattenfield said he would like to see comparative questions.

Don Arnoldy asked if habitants would also receive surveys and that he did not want to see more Mixed Use projects.

Van Langston stated the public should be represented by more than a few persons and that perhaps there should be public members from other communities as well.

Ginger Langston said citizens are not taken into consideration, there is not enough parking now at the post office on Kiely, there is a shortage of water, and now Santa Clara had been deemed a transit city.

Ian Prickard stated at least one-third of the Steering Committee should be members of the public, that the public noticing was not sufficient or sent out soon enough, that many of the proposed projects were not in conformance with the General Plan and noted many of the proposed large developments were on the Sunnyvale border.

Doug Hosking stated his concerns with impacts to adjacent neighborhoods, that densities should be more reasonable, that real traffic data should be used and that additional recreational opportunities are needed.

Commissioner Marine then suggested that perhaps people living on the border of Sunnyvale could be sent surveys. Ms. Painter stated staff are willing to meet with different neighborhood groups, including those from neighboring cities.

Commissioner Fitch suggested neighborhood groups could also receive public notifications. Ms. Painter stated all public participation would be encouraged in every way possible and anyone requesting notifications through the various means will be included in the public outreach.

It was moved by Commissioner Marine, seconded by Commission Fitch to continue this item to the joint meeting with City Council on April 15, 2008.

GENERAL PLAN AMENDMENT/REZONING

- 10.** File: **PLN2007-06419/CEQ2007-01047**
Location: 2585 El Camino Real, an 1.45-acre site on the north side of El Camino Real, east of Saratoga Creek and 490 feet west of Morse Lane (APN: 216-01-008). Property is zoned CT (Thoroughfare Commercial) Applicant/Owner: Greg Malley
Request: **Adopt Mitigated Negative Declaration; General Plan Amendment #68** from Mixed Use to Transit-Oriented Mixed Use; and **Rezone** from CT (Thoroughfare Commercial) to PD (Planned/Development) for the development of a four-story mixed use project with ground floor retail, 60 condominium units above, site access, circulation, parking and landscape improvements
Project Planner: Debby Fernandez, Assistant Planner II

Summary of Discussion – April 9, 2008

Ms. Fernandez, Project Planner, reviewed the request and stated that public noticing had been completed for a 300 foot radius. She noted the proposal included a request for a General Plan amendment from Mixed use to Transit-Oriented Mixed Use; a Rezoning from CT to PD for the development of a four-story mixed use project with ground floor retail, 60 condominium units above, site access, circulation, parking and landscape improvements. She then noted that the existing site is vacant and was formerly the Wheels and Deals car lot.

Ms. Fernandez reviewed the 10 percent BMR units and noted that the project would be mapped as condominiums, but may be used as initially as rental apartments. She stated that the building height has 50 feet and that the average heights and massing were staggered. Ms. Fernandez the addressed necessary changes to conditions #11 and #98.

Ms. Fernandez stated that also before the Commission was a request to adopt a Resolution to approve the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. She then stated that several letters of opposition had been received, as well as a petition against the project with 288 signatures.

Commissioner Marine stated he felt an EIR should have been prepared for this project, not a Mitigated Negative Declaration. Ms. Fernandez stated no significant impacts had been identified in the Initial Study.

Staff then answered questions related to the dedication of land for a creek trail and the use agreement that would be executed with the water district.

Commissioner Barcells stated the El Camino Real was designated a Commercial Thoroughfare and has concerns with recent development proposals.

Ms. Painter then reviewed the CEQA process and the Initial Study prepared for this project identifying environmental impacts. She stated this study was completed by certified environmental consultants and that the project analysis result did not require an EIR under the California Environmental quality Act (CEQA). She noted the conditions of approval and Mitigation Monitoring and Reporting Program lessen the impacts to less than significant.

Commissioner Fitch then requested a shadow study for impacts to the adjacent neighborhood.

Commissioner Stattenfield stated his concerns with the degradation of the visual character of the surrounding neighborhood who would loose their views and asked where the student counts

come from. Ms. Painter stated that the school district provided these numbers. She also indicated that, if the Commission has further questions regarding the Mitigated Negative Declaration, staff can provide additional information on the areas of concern and report back to the Commission.

Commissioner O'Neill stated that she always would like to see a section/shadow study.

Maya Genderau, architect for the project, addressed the Commission. She stated a shadow study could be done and that there was a section drawing illustrated on page 8. A screen/tree planter would act as a screen for the units at the rear of the project. She noted the retail was somewhat limited by the project design.

In response to a question from Commissioner Stattenfield, Ms. Fernandez explained clarified the proposed shared parking arrangement and reviewed the City Parking Ordinance standards.

Ms. Gicela Del Rio of Hexagon Traffic Engineers then addressed the Commission. The consultant reviewed the study done which did consider u-turns at Bowe Avenue. She stated that the numbers were conservative and based on a higher unit count (64) than the 60 the project is proposing. She noted the study found there would be 30 a.m. peak hour trips and 42 p.m. peak hour trips using ITE (Institute of Traffic Engineers) standards for the project.

In response to questions from the Commission, Ms. Del Rio stated there had been traffic counts done two hours in the morning and two hours in the evening (during peak hours) at the actual site.

Greg Malley, applicant/owner, addressed the Commission. He noted that current zoning on the site allows more than what is being proposed. He stated the traffic study showed no significant impacts and that this project would energize the blighted area. Mr. Malley stated that Silicon Valley faces problems with housing and this project could be part of the solution.

Public Comments

Barbara Murphy of Robinson Avenue stated concerns with property values, traffic along Morse Lane, light and shadows from the project, noise from the balconies and privacy issues.

Arnold Rucker, a resident on the west side of the development felt the project was wrong for the neighborhood and not in scale with the existing surroundings.

Don Nelson, a 30 year resident of Robinson Avenue, stated the project does not fit this area of the El Camino Real and that he was totally opposed to the development; as it would adversely affect his privacy and property values.

Steven Atkins, also a resident of Robinson Avenue, stated his concerns with property values, scenic views of the mountains, light and air issues.

Louis Rubalcva, a resident since 1970, stated he was opposed to the project and has concerns with traffic, school crossing, and pedestrian safety for the children using the Little League Fields and the nearby skatepark.

Jim Serwer stated concerns with how a homeowners association would operate with business and condo owners.

Ian Prickett stated he did not know how this could be a transit node with only one bus route and that the project would only add traffic to an already congested area.

Van Langston stated the project should not exceed 40 units and the project would just mean more cars, more people, and no place for kids.

Peg Rucker was concerned about where the sewer connects, the 1.5 parking spaces per unit being adequate and the project putting too many people in too small an area.

Rebuttal

Mr. Malley, owner, again stated his project would improve the existing area and that the land being dedicated would provide a link to the creek trail. Mr. Malley also stated that there are several homeowner associations that address residential and commercial condominiums such as this in operation.

Maya Genderau, project architect, responded to several of the citizen comments that: the trash is to be totally located inside the building along the El Camino Real, the buildings would be fully handicapped accessible with two elevators, an at grade bicycle storage facility is provided, the sewer connection would be located along the El Camino, and the parking ratio is 1.8 spaces per unit with 2 extra parking spaces.

The public hearing was closed.

In answer to a question from Commissioner Marine, Ms. Fernandez responded that additional public transit is planned along the El Camino Real and that for transit to work, there is a need to provide housing to support transit.

Commissioner Barcells stated he had concerns for the neighborhood and that their peace and quiet needs to be respected, noting that this is a Commercial Thoroughfare area.

Commission Recommendation – April 9, 2008

It was moved by Commissioner Fitch, seconded by Commissioner Marine and unanimously carried to continue this item to the meeting of May 28, 2008; with the following clarifications: 1) an additional traffic analysis to be done on the weekend, modeled with higher intensity commercial uses and addressing school crossings; 2) a shadow and light study, including a view shed analysis from adjacent neighbors; and 3) further information from staff on Transit Oriented Mixed Use.

11. OTHER BUSINESS

Commission Procedures and Staff Communications. Public comment on these items may be limited to one minute, at discretion of the Chair

- a. Announcements/Other Items
- b. Report of the Director of Planning and Inspection
 - City Council actions
 - Commission/Board Liaison and Committee Report
 - Commission/Committee Assignments
 1. Staff was requested agendize a discussion of project notification and report back to the Commission on May 28th.

Architectural Committee: Commissioners Marine and Stattenfield (Sarodi and Barcells alternates)
Station Area Plan: Chairperson Champeny
General Plan sub-Committee: Commissioners Fitch and O'Neill
- c. Commission Procedures
 - Planning Procedures
 - Work plan items

12. ADJOURNMENT

As there was no further business, the meeting was adjourned at 10:15 p.m. to the City Council Study Session on April 15, 2008.

Respectfully submitted:

12. ADJOURNMENT

As there was no further business, the meeting was adjourned at 10:15 p.m. to the City Council Study Session on April 15, 2008.

Respectfully submitted:



Judith Silva
Associate Planner

Approved: _____



Carol Anne Painter
City Planner

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